

REMARKS

Claims 5-9 are pending in the application. Claim 5 has been amended and claims 10 and 11 have been added, leaving claims 5-11 for consideration upon entry of the amendment. Support for the amendment can be found on page 10, line 24 to page 11, line 4. Applicants respectfully request reconsideration in view of the following amendment and remarks.

Claims 5-9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Aoyagi et al. (U.S. 5,982,999) ("Aoyagi") and Suzuki et al. (U.S. 6,041,265) ("Suzuki"). For an obviousness rejection to be proper, the Examiner must meet the burden of establishing that all elements of the invention are disclosed in the prior art; and that the prior art relied upon, coupled with knowledge generally available in the art at the time of the invention, must contain some suggestion or incentive that would have motivated the skilled artisan to modify a reference or combined references. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988); *In Re Wilson*, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970); *Amgen v. Chugai Pharmaceuticals Co.*, 927 U.S.P.Q.2d, 1016, 1023 (Fed. Cir. 1996).

Claims 5-11 include the following limitation: "a memory device to memorize a paired data set of the relevant information paired with the identification information, inputted by the operating device so that the memory device memorizes a plurality of different paired data sets of plural different customers having respective different identification information." Claims 5-11 also include the following limitation: "a controller to obtain the relevant information of the customer from the plurality of different paired data sets memorized in the memory device, by using the identification information received by the order receiving device." None of the references teach or suggest those limitations.

In Aoyagi, image data photographed by digital camera 1800 can be used in an image processing section (see col. 17, lines 62-64); however, the plural sets of the identification information and the relevant information of the plural customers are not described. Moreover, Aoyagi does not teach the retrieval of the memorized relevant information.

In Suzuki, a plurality of color-balance settings can be stored (see col. 4, lines 54-55). A color composition ratio can be adjusted for each color yellow, magenta, cyan, and black using "+" keys 301 and "-" keys 302 (see col. 4, lines 58-60). That is, a plurality of

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the color balance are stored by the manual operation of the image forming apparatus, but the color balance are not retrieved based on the identification information. In addition, a plurality of the color balance is adjusted by the user of the image processing apparatus. In particular, four color balance-settings can be stored (see col. 4, lines 65-66). However, there is nothing in Suzuki that teaches about a memory device that memorizes a plurality of different paired data sets of plural different customers having respective different identification information. Moreover, Suzuki also does not teach or suggest a controller that obtains the relevant information of the customer from the plurality of different paired data sets memorized in the memory device.

Thus, Aoyagi and Suzuki do not teach or suggest all of the limitations. Applicants respectfully request that the Examiner withdraw the rejections as to claims 5-9.

Applicants also request allowance of claims 10 and 11. Those claims are allowable because they include all of the limitations of claim 5 and thus, for the reasons explained above, the claims 10 and 11 are allowable claims.

In view of the foregoing, it is respectfully submitted that the instant application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicants' attorneys would be advantageous to the disposition of this case, the Examiner is cordially requested to telephone the undersigned.

In the event the Commissioner of Patents and Trademarks deems additional fees to be due in connection with this application, Applicants' attorney hereby authorizes that such fee be charged to Deposit Account No. 06-1130.

Respectfully submitted,

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February 27, 2004

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09/450.412